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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Hermann Bujard *et al.*

Serial No.: 09/777,317

Filed: February 5, 2001

For: **TETRACYCLINE-REGULATED
TRANSCRIPTIONAL ACTIVATOR FUSION
PROTEINS**

Attorney Docket No.: BBI-013C3CN3

Group Art Unit: 1632

Examiner: R. Shukla

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION UNDER 37 CFR 1.10

Date of Deposit: November 4, 2003

Mailing Label Number: EV 311017597 US

I hereby certify that this 37 CFR 1.53(d) request and the documents referred to therein as enclosed are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, Washington, D.C. 20231.

DeAnn F. Smith, Esq.

Name of Person Mailing Paper


Signature of Person Mailing Paper

TERMINAL DISCLAIMER PURSUANT TO 37 C.F.R. §1.321(c)

Dear Sir:

I, DeAnn F. Smith, Registration No. 36,683, as attorney of record in the above-identified patent application, hereby declare that Knoll Aktiengesellschaft, a corporation organized under the laws of Germany having a place of business at Ludwigshafen, Germany, and Abbott GmbH & Co., KG, having a place of business at Wiesbaden, Germany, are the owners of the above-identified patent application by Assignment documents executed for the parent application (Serial No. 08/479,306) by the inventors to Knoll Aktiengesellschaft; the Assignment executed

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in the event that it later expires for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a); has all claims canceled by a reexamination certificate; is reissued; or is otherwise terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer; except for the separation of legal title stated above.

Signed at Boston, Massachusetts this 4th day of November, 2003,

Respectfully submitted,
LAHIVE & COCKFIELD, LLP.



DeAnn F. Smith, Esq.
Registration No. 36,683
Attorney for Applicants